

DF

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ OCT 21 2013 ★

LONG ISLAND OFFICE

08-CV-3469 (TCP)(WDW)

SIEW V. THONG, YUE F. XIA, QIAO F. CHEN,

Plaintiffs,

v.

LOVELY NAILS NY, INC. d/b/a "Lovely Nails", NEW
ALWAYS NAILS CORP. d/b/a "Always is Nails",
MAJOONGMOOL CORP. d/b/a "Always is Nails", J H
DIVA NAIL & SPA INC. d/b/a "Diva Nails", VIVA NAILS
& SPA, INC. d/b/a "Diva Nails", QIXING LI a/k/a "John
Lee", GUINING CUI a/k/a "Susan Lee," and YING AI CHE
a/k/a "Cha Young He",

Defendants.

**STIPULATION OF
VOLUNTARY DISMISSAL
AS TO CERTAIN
DEFENDANTS ONLY**

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, by and among the undersigned counsel of record and party, representing all parties who have appeared in the action, being fully authorized to enter this Stipulation of Voluntary Dismissal as To Certain Defendants Only, that:

1. All claims asserted by plaintiffs Siew V. Thong, Yue F. Xia, and Qiao F. Chen (together, "Plaintiffs") against defendant Ying Ai Che in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

2. Counts VIII, X, XII, and XIV asserted by Plaintiffs against defendant Majoongmool Corp. shall be dismissed with prejudice and without costs to either party as against the other.

3. Counts VIII, X, XI, and XIII asserted by Plaintiffs against defendant Viva Nails & Spa, Inc. in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

4. Counts VIII, IX, X, XI, XII, and XIII asserted by Plaintiffs against defendant Guining Cui in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

5. Count IX asserted by plaintiff Yue F. Xia against defendants Majoongmool Corp., Viva Nails & Spa, Inc., and Guining Cui in the Second Amended Complaint shall be dismissed with prejudice and without costs to either party as against the other.

6. All counterclaims asserted by defendant and counterclaim-plaintiff Ying Ai Che against Plaintiffs in the Answer to Claims of Defendant Ying Ai Che shall be dismissed with prejudice and without costs to either party as against the other.

7. All crossclaims asserted by defendant and crossclaim-plaintiff Ying Ai Che against defendants Majoongmool Corp., Viva Nails & Spa, Inc., and Guining Cui a/k/a "Susan Lee" in the Answer to Claims of Defendant Ying Ai Che shall be dismissed with prejudice and without costs to either party as against the other.

8. This stipulation shall not affect any claims against any defendant not a party to this stipulation.

9. This stipulation may be executed in counterparts, each of which shall be deemed an original but all of which constitute one and the same agreement.

10. Facsimile or electronically transmitted signatures shall have the same force and effect as originals.

Dated: New York, New York

10/14, 2013

COVINGTON & BURLING LLP

By: 

Colin P. Watson

The New York Times Building
620 Eighth Avenue
New York, New York 10018-1405
Phone: 212.841.1000
cpwatson@cov.com

David A. Colodny
URBAN JUSTICE CENTER
123 William Street, 16th Floor
New York, New York 10038
Phone: 646.602.5600
dcolodny@urbanjustice.com

Attorneys for Plaintiffs

Dated: Fort Lee, New Jersey

9/24, 2013

**THE LAW OFFICES OF DIANE H. LEE,
P.C.**

By: 

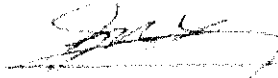
Diane H. Lee

158 Linwood Plaza
Suite 304-307
Fort Lee, New Jersey 07024
Phone: 201-406-6286
dlee@dhlilaw.com

*Attorneys for Defendants Majoongmool Corp.
d/b/a "Always is Nails," Viva Nails & Spa, Inc.
d/b/a "Diva Nails," and Guining Cui a/k/a
"Susan Lee"*

Dated: Glen Head, New York
, 2013

YING AI CHE



10/10/2013

240 Glen Head Road
Glen Head, New York 11545

So Ordered.

/s/ Thomas C. Platt

Thomas C. Platt, U.S.D.J.

October 21, 2013

TO: MICHAEL D. YIM, ESQ.
c/o Felicello Law P.C.
605 Third Avenue
Suite 1600
New York, New York 10158

Attorney for Defendants Majoongmool Corp., Viva Nails & Spa, Inc., and Susan Lee

THE LAW OFFICES OF DIANE H. LEE, P.C.
158 Linwood Plaza
Suite 304-307
Fort Lee, New Jersey 07024

Attorneys for Defendants Majoongmool Corp., Viva Nails & Spa, Inc., and Susan Lee

YING AI CHE
240 Glen Head Road
Glen Head, NY 11545

LOVELY NAILS NY, INC.
744 Old Bethpage Road
Old Bethpage, NY 11804

J.H. DIVA NAILS & SPA, INC.
240 Glen Head Road
Glen Head, NY 11545

NEW ALWAYS NAILS CORP.
744 Old Bethpage Road
Old Bethpage, NY 11804

QIXING LI a/k/a JOHN LEE
36-20 Bowne Street, Apt. 5F
Flushing, NY 11354